

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CARLOS WILLIAMS,

Plaintiff,

v.

LORI LAWSON, et al.,

Defendants.

CASE NO. C21-5536 MJP

ORDER GRANTING STIPULATED
MOTION TO EXTEND RULE 35
EXAMINATION

This matter comes before the Court on the Parties' Stipulated Motion to Extend the Deadline for CR 35 Examination of Plaintiff and Other Case Deadlines. (Dkt. No. 218.) Having reviewed the Motion and supporting materials, the Court GRANTS the Motion. In the Motion, Defendants assert that the existing February 29, 2024 deadline to complete their Rule 35 examination of Plaintiff by Dr. Laura Dahmer-White is no longer feasible given Dahmer-White's schedule. (Mot. at 2-3.) Defendants' counsel avers that despite her diligence, Dahmer-White's schedule filled up before Defendants provided sufficient materials to the Court to obtain approval of their requested examination. (See Declaration of Michelle Hansen ¶¶ 4-6 (Dkt. No.

1 218-2).) While the Court believes Defendants could have avoided this issue by filing sufficient
2 information with their initial motion to compel the physical examination, the Court finds an
3 adequate record of diligence to support a finding of good cause as to this examination. The Court
4 therefore GRANTS the Stipulated Motion and extends the deadline to complete Dr. Dahmer-
5 White's neuropsychological examination of Plaintiff to March 25, 2024. In light of this ruling,
6 the Court also extends the deadline for Defendants to submit Dahmer-White's Rule 26(a)(2)
7 report to April 24, 2024. The Court otherwise requires all other expert reports to be filed by the
8 existing March 24, 2024 deadline.

9 Separately, the Court notes that it is in the process of retaining neutral experts and will let
10 the Parties know who the individuals are once they are retained. The Parties should be aware that
11 the neutral experts shall not be bound by the expert report deadline. But the Court will ensure
12 that the neutral experts' reports are made available to the Parties by June 1, 2024, in advance of
13 the June 24, 2024 dispositive motion deadline.

14 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

15 Dated January 30, 2024.

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17 Marsha J. Pechman
18 United States Senior District Judge
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